

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

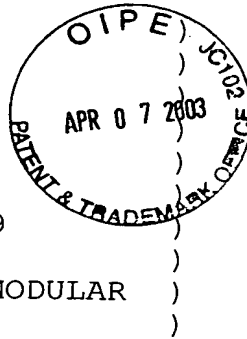
In Re Application of:

LUFFEL, Robert, W., et al.

Serial No. 09/371,708

Filing Date: August 9, 1999

For: Laterally Expandable Modular  
Data Storage System



Examiner: Davis, D.

Group Art Unit: 2652

Conf. No.: 9563

**RESPONSE TO NOTIFICATION OF NON-COMPLIANCE AND  
INTERVIEW SUMMARY UNDER 37 C.F.R. §1.133**

To: The Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

This communication is made in response to the Notification of Non-Compliance, paper no. 14 (or 15, the cover sheet indicates paper no. 14, while the Notification indicates paper no. 15), dated March 20, 2003, and also summarizes a telephone interview with examiner Davis conducted on April 3, 2003.

Applicants note with appreciation the telephonic interview with examiner Davis courteously afforded the undersigned counsel on April 3, 2003, during which was discussed certain issues raised by the Notification of Non-Compliance issued March 20, 2003. More specifically, applicants discussed with the examiner the specific deficiencies involved with item 4, regarding a concise explanation of the invention. Applicants and the examiner reached an agreement that item 4 would be regarded by the examiner as fully complied with if the applicants amended that portion of the summary that does not echo the claims to include references to the drawing figures and specification by page and line number. In response, applicants include herewith an amended Appeal Brief in triplicate that corrects those

deficiencies.

Accordingly, applicants believe that the amended appeal brief filed concurrently herewith corrects the deficiencies noted by the examiner and is now fully compliant with 37 C.F.R. 1.192(c).

Respectfully submitted,

DAHL & OSTERLOTH, L.L.P.

By: 

Bruce E. Dahl

PTO Registration No. 33,670  
555 Seventeenth Street, Suite 3405  
Denver, CO 80202  
(303) 291-3200

Date: 4-7-03

EV 175422291 US

04-09-03

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In Re Application of:  
LUFFEL, Robert, W., et al.

Serial No.: 09/371,708

Filing Date: August 9, 1999

For: LATERALLY EXPANDABLE  
MODULAR DATA STORAGE  
SYSTEM

Docket No.: 10980297-1

Confirmation No.: 9563

Examiner: Davis, D.

Group Art Unit: 2652

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APR 10 2003

Assistant Commissioner for Patents  
Washington, DC 20231

Technology Center 2600

Transmittal of Appeal Brief

Sir:

Transmitted herewith is the Appeal Brief (in triplicate) in this application with respect to the Notification of Non-Compliance, Paper No. 14, dated March 20, 2003. Also enclosed is a response to Notification of Non-Compliance and interview summary under 37 CFR §1.133.

The fee for filing this Appeal Brief was previously submitted on May 2, 2002, Deposit Account No. 08-2025 in the amount of \$320.00. No additional fee is required. However, the Commissioner is authorized to charge any additional fee(s) during the pendency of this application to Deposit Account No. 08-2025.

(X) Applicant believes that no extension of time is required.

I hereby certify that this correspondence is being  
Deposited with the United States Postal Service as  
Express Mail in an envelope addressed to:  
Assistant Commissioner for Patents, Box AF,  
Washington, DC 20231

Date of Deposit: April 7, 2003

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Typed Name: Bruce E. Dahl, Esq.

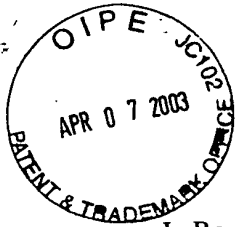
Signature: Bruce E. Dahl

Respectfully submitted,

By: Bruce E. Dahl  
Bruce E. Dahl, Reg. No. 33,670  
Attorney/Agent for Applicant(s)  
DAHL & OSTERLOTH, L.L.P.  
555 Seventeenth Street, Suite 3405  
Denver, CO 80202-3937  
Telephone: (303) 291-3200  
Facsimile: (303) 291-3201

Date: April 7, 2003

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that the attached Transmittal Letter (in duplicate); Response to Notification of Non-Compliance and Interview Summary under 37 CFR Section 1.133 (in triplicate); Appeal Brief (45 pages including Table of Contents, Appendices A and B with 1 reference (in triplicate); and Post cards for return by the United States Patent and Trademark Office, are all being deposited with the United States Postal Service addressed to the Assistant Commissioner for Patents, Box AF, Washington, D.C. 20231, via Express Mail No. EV 175422291 US, on this 7<sup>th</sup> day of April 2003.

By:   
Bruce E. Dahl, Reg. No. 33,670